

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOSH LENCHICK,</b>	:	
	:	
<b>Petitioner</b>	:	<b>CRIMINAL NO. 3:17-188</b>
<b>v.</b>	:	
	:	<b>(JUDGE MANNION)</b>
<b>WARDEN D. EASTER,</b>	:	
	:	
<b>Respondent</b>	:	

**ORDER**

Based on the court's memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

- (1)** Petitioner Josh Lenchick's letter Motion for Immediate Compassionate Release to Home Confinement, **(Doc. 706)**, is construed as an emergency petition for writ of habeas corpus pursuant to 28 U.S.C. §2241.
- (2)** The clerk of court is directed to docket Lenchick's Doc. 706 motion as a §2241 habeas petition and to assign it a separate civil number. Due to the immediate request for relief sought, the clerk of court is directed forgo the thirty-day administrative order requiring defendant to pay the filing fee for a habeas petition, as that can be addressed in the proper jurisdictional court.

- (3) The clerk of court is then directed to forthwith transfer Lenchick's habeas petition to the U.S. District Court for the District of Connecticut.
- (4) To the extent Lenchick's Doc. 706 motion can be construed a motion for compassionate release, it is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction since he has failed to comply with §3582(c)(1)(A)'s exhaustion requirement.
- (5) To the extent Lenchick's Doc. 706 motion is deemed as a motion for immediate release to home confinement under the CARES Act, it is **DISMISSED** since the court lacks authority to grant such relief under the Act.

s/ Malachy E. Mannion

**MALACHY E. MANNION**

**United States District Judge**

**DATE: June 3, 2020**

17-188-01-Order